

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

v.

KELLEY RAY KAIGHIN,

Defendant.

Case No. 3:23-cr-00061-MO-1

DECLARATION OF COUNSEL IN
SUPPORT OF DEFENDANT'S THIRD
UNOPPOSED MOTION FOR
POSTPONEMENT OF TRIAL DATE

The undersigned, Tyl W. Bakker, being first duly sworn, do depose and state that the following is true and correct:

1. I am the court-appointed counsel for the Defendant, Kelley Ray Kaighin, in the above-referenced case having been so appointed to this matter on January 31, 2023, by way of substitution. I am Mr. Kaighin's second appointed lawyer.

2. Mr. Kaighin has been charged on One Count of Possession with Intent to Distribute Fentanyl, One Count of Possession with Intent to Distribute Heroin, One Count of Possession of Firearm in Furtherance of a Drug Trafficking Crime, and One Count of Felon in Possession of a Firearm.

3. The 2-day jury trial is currently scheduled for Tuesday, November 28th, 2023, before Your Honor.

4. Additional time is needed to continue plea negotiations, advance trial preparations, and otherwise complete preparations for Mr. Kaighin's defense.

5. By the accompanying motion, Mr. Kaighin requests that the current trial date be continued for approximately 90 days to Monday, February 26th, 2023, or a date thereafter convenient to the Court. This is the third motion to reset the trial date filed in this case on behalf of Mr. Kaighin.

6. I have met with Mr. Kaighin and discussed his rights under the Speedy Trial Act. He is prepared to waive those rights for the purpose of this motion. He consents to the granting of this motion.

7. Assistant United States Attorney Lewis Burkhart does not oppose this request.

8. I declare that the above statements are true to the best of my knowledge and belief, and that I understand they are made for use as evidence in court and are subject to penalty for perjury, in accordance with ORCP1E.

Dated this 2nd day of November, 2023.

/s/ Tyl Bakker

Tyl Bakker, OSB #902000

Attorney for Kelley Ray Kaighin